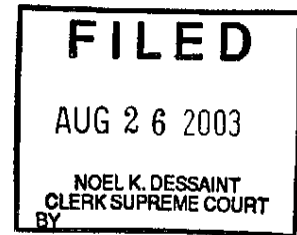


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R-03-0012

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
Rule 123, Arizona Rules of the Supreme Court)	
Rules of Civil Procedure and Rules of)	
Criminal Procedure)	Supreme Court
)	R. No. 2003- 0012

Comment

Following are some comments relative to the recent proposed rule changes (R-03-0012):

- \$ ARS 12-1178 reads in part: "...If the defendant's social security number is contained on the complaint at the time of judgment the person designated by the judge to prepare the judgment shall ensure the defendant's social security number is contained on the judgment." Are there any plans to seek a change in this statute since it would seem to conflict with the proposed rule change? If not, what instructions should be given to the courts given the possible inconsistencies between the proposed rule change and this statute?
- \$ I can see the need for the Sensitive Data Form, but I see certain problems with implementation. How will the courts enforce this new policy with regard to litigants? Are the courts to reject any filings if the Sensitive Data Form is not used? How are the courts to maintain the confidentiality of this form? Is it contemplated that this form will be kept in a separate file, maintained in the case file but in a confidential envelope or maintained in the case file to be removed when someone asks to review the file? This will be hard to police.
- \$ I have no problems with web site restrictions and requirements.
- \$ Judgment search companies (and others) come to the justice courts constantly searching through case records. They usually look for a social security number, since they use this in their searches. I am no fan of these companies and what they do, but it will be difficult to change the legal culture, since this has been going on for years.

Respectfully submitted, this 21 day of AUGUST, 2003.

A handwritten signature in black ink, appearing to read "Dennis Metrick", is written over a horizontal line.

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cc: Hon. Sheldon Weisberg, Petitioner